

G, E-002/M-88-546 VARYING MINNESOTA RULES, PART 7820.1900, supb. 3

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Barbara Beerhalter	Chair
Cynthia A. Kitlinski	Commissioner
Norma McKanna	Commissioner
Robert J. O'Keefe	Commissioner
Darrel L. Peterson	Commissioner

In the Matter of Northern States Power
Company's Request for a Variance to
Minnesota Rules, Part 7820.1900, subp. 3.

ISSUE DATE: October 5, 1988

DOCKET NO. G, E-002/M-88-546

ORDER VARYING MINNESOTA RULES,
PART 7820.1900, subp. 3

PROCEDURAL HISTORY

Under Minnesota Rules, part 7820.1900, subp.3 (a part of the Cold Weather Rule), a public utility is required to accept or appeal a residential customer's Declaration of Inability to Pay to the Minnesota Public Utilities Commission (the Commission), in writing, within seven working days after receipt.

On August 11, 1988, Northern States Power Company (NSP or the Company) petitioned the Commission to grant a 14-day variance to the rule described above.

FINDINGS AND CONCLUSIONS

The Commission is empowered by Minn. Rules, part 7830.4400 to vary any of its rules when it appears to the Commission's satisfaction that: enforcement of the rule would impose an excessive burden upon the applicant or others affected by the rule; granting the variance would not adversely affect the public interest; and granting the variance would not conflict with standards imposed by law.

The Commission finds that enforcement of Minn. Rules, part 7820.1900, subp.3 would impose an excessive burden upon the applicant and others affected by the rule. Enforcing the seven day time period imposes an excessive burden on the public utility and its customers in terms of the time and expense involved in processing these appeals when additional time gives the Company and its customers a better opportunity to review disputes and arrive at mutually beneficial decisions. The Commission notes that it granted a similar variance to the Company for the 1986 and 1987 heating

seasons, and that those variances appear to have reduced the number of appeals to the Commission.

The Commission finds that granting a one year variance would not adversely affect the public interest. Rather, allowing the public utility and its customers more time to agree on payment arrangements serves the public interest by lessening customer confusion and avoiding unnecessary appeals to the Commission.

Finally, granting a one year variance would not conflict with standards imposed by law.

The Commission concludes that the requirements of Minn. Rules, part 7830.4400 have been met and will order Minn. Rules, part 7820.1900, subp.3 varied for the 1988-1989 Cold Weather Season to allow Northern States Power Company fourteen days in which to accept or appeal to the Commission in writing a residential customer's Declaration of Inability to Pay.

ORDER

1. Minn. Rules, part 7820.1900, subp.3 is hereby varied for the 1988-1989 Cold Weather Season to extend the time period to fourteen days for Northern States Power Company to accept or appeal to the Commission a residential customer's Declaration of Inability to Pay.
2. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Mary Ellen Hennen
Executive Secretary

(S E A L)